THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.7229 OF 2007

DATED: 16-04-2007

BETWEEN

M/s. Avanthi Warehousing Services
Limited, at Survey No.25, Ieeja Road,
Near Condapally X Roads, Gadwal,
Mahabubnagar District, rep. by its
Manager and Authorised Signatory
K. Giri Kumar S/o. Venkateswarlu,
Occ: Service, R/o. Gadwal,
Mahabubnagar District.

...PETITIONER

AND

Superintendent of Police,
Mahabubnagar District,
Mahabubnagar and others.

...RESPONDENTS

ORDER:

Petitioner-firm seeks a Writ of Mandamus to declare the action of the respondents 1 to 3 – police officials in not providing police protection to it in lifting the material viz., 2494 MT of Urea lying at the goods shed of the South Central Railway, represented by its Station Master, Gadwal, Mahabubnagar in spite of making complaints on 05.04.2007 and 06.04.2007 as illegal and arbitrary and to direct the respondents 1 to 3 to forthwith give police protection.

2. It is the case of the petitioner-firm that there is no law prohibiting it from lifting its own goods and in compulsory engaging any registered union for

lifting its goods.

3. However, that is not the question sought to be resolved in the writ petition. The prayer in the writ petition is to provide police protection for lifting the said goods. As it is stated that after filing the writ petition the said goods have been lifted by the seventh respondent, the prayer in the writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous keeping it open to the petitioner to take appropriate steps to resolve the larger question as and when it crops up. There shall be no order as to costs.

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V. ESWARAIAH, J

April 16, 2007
DSK